

in class 63, subclass 4, and (ii) Invention II - Claims 9-17 (Group II) which relate to a method of making an article of jewelry in class 59, subclass 1. He explains that the inventions are distinct because the product of Group I, as claimed, can be made by another and materially different process than that which is claimed according to Group II. (MPEP § 806.05(f)). More specifically, Applicant's article of jewelry, the Examiner continues, can be made by forming crosspieces with hooked ends, hooking the ends to respective chain links, and then deforming the ends to secure the crosspieces to the chain link.

Also, the Examiner states that, upon Applicant's election of either Group I or Group II above, Applicant must also elect a single Species for that group of claims. The Application, he says, contains claims directed to the following patentably distinct species of the claimed invention: Species 1, FIG. 1; Species 2, FIG. 2; Species 3; FIGS. 3 and 4; Species 4, FIG. 5; Species 5, FIG. 6; Species 6, FIG. 7; Species 7, FIG. 8; Species 8, FIG. 9; Species 9, FIG. 10; and Species 10, FIG. 11. The Examiner deems none of the claims to be generic.

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First, regarding the Examiner's notation of the various "Species", Applicant respectfully disagrees, and submits that the chain of Specie 7, FIG. 8 is not formed by at least two chains arranged side-by-side in the same plane, but rather shows a single chain with a plurality of crosspieces extending from respective links of said single chain.

Accordingly, except as indicated above with respect to Specie 7, FIG. 8, Applicant respectfully submits that claim 1 is generic to all of the other "Species" of the chain, as shown.

Second, it appears that claim 17, which is directed to an article of manufacture, may have been grouped inadvertently by the Examiner with the method claims of Invention II rather than the article claims of Invention I. Accordingly, clarification of this issue as well as confirmation of Applicant's election of claim 17 as part of Invention I above is respectfully requested.

Accordingly, re-entry and election of the non-elected Species, i.e., Species 2-6 (FIGS. 2-7) and Species 8-10 (FIGS. 9-11), for prosecution in this Application, along with elected Species 1 (FIG. 1), is respectfully requested.

Respectfully submitted,



Grant E. Pollack, Esq.

Registration No. 34,097

POLLACK, P.C.

The Chrysler Building

132 East 43rd Street, Suite 760

New York, New York 10017

Telephone: (646) 265-1468

Facsimile: (646) 253-1276

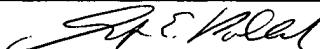
E-mail: gpollack@pollackpc.com

Attorney for Applicant

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope with sufficient postage addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 9, 2006

Name Grant E. Pollack



Signature